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CLASSIC REVISITED

PRIDE AND PREDATORS

Heidi S. Bond*

PRIDE AND PREJUDICE. By *Jane Austen*. London: Printed for T. Edgerton. 1813. (Oxford University Press 1999 ed.). Pp. xii, 352. \$20.

Pride and Prejudice is one of the most beloved romance novels¹ of all time and needs very little introduction. For those who need a refresher on the plot, *Pride and Prejudice* details the community-wide damage that can be laid at the feet of serial sexual predators.² It details the characteristics of predators, discusses the systemic social failures that allow predators to abuse others, and grapples with difficult questions of how communities should deal with those predators.

More specifically: In this 1813 novel, George Wickham—aforementioned serial sexual predator—comes to town and is immediately beloved by all for his wit, his manners, and his charm (p. 64). He latches onto the heroine, Elizabeth Bennet (“Lizzy”), immediately gains her trust, and uses her to determine that the one man in the community who can expose his predatory past—Mr. Fitzwilliam Darcy—is disliked for his poor manners (pp. 67–73).

When Darcy proposes to Lizzy, Lizzy accuses him of bad behavior toward Wickham. Darcy answers her accusations by bringing Lizzy into a

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1. Is *Pride and Prejudice* a genre romance novel? On the one hand, it meets the genre requirements, in the sense that the love story between Elizabeth and Darcy is the main focus of the book, and the ending of the book is optimistic and emotionally satisfying. See *About the Romance Genre*, ROMANCE WRITERS AM., https://www.rwa.org/Online/Romance_Genre/About_Romance_Genre.aspx [<https://perma.cc/3WLH-4DLD?type=image>]. That being said, the modern genre definition is a marketing convention; there was no romance genre per se at the time *Pride and Prejudice* was written. See Amanda Pagan, *A Brief History of the Romance Novel*, N.Y. PUB. LIBR. (Feb. 15, 2019), <https://www.nypl.org/blog/2019/02/15/brief-history-romance-novel-recommendations> [<https://perma.cc/X3KK-2QDX>]. This makes it, in my view, an ancestor of the modern romance genre, a romance novel in the old sense, 14 OXFORD ENGLISH DICTIONARY 61 (J.A. Simpson & E.S.C. Weiner eds., 2d ed. 1989) (definition 3 of noun “romance”), but not a genre romance novel.

2. There is also an awkward man who says terrible things and has lots of money, a delightful heroine who says terrible things (but to the awkward man, so that’s even more delightful), and a side pairing of two young goobers.

whisper network with regard to Wickham's past predatory behavior (pp. 173, 180–83), but this whisper network proves to be insufficiently widespread to prevent further harm, as Wickham rapes³ Lizzy's own sister (pp. 39, 272–73). In the end, Wickham eventually suffers a very minor consequence that has no lasting effect on his career and, in fact, guarantees his financial future (pp. 272–73).

Let's start with the first part of this: George Wickham is a serial sexual predator. This is not language that was used during Regency times, but the type was known well enough that Jane Austen put him in her book. Wickham is around twenty-eight during the events of the novel.⁴ His victims are Georgiana Darcy (age fifteen at the time) (p. 182), Lydia Bennett (age fifteen) (pp. 39, 272–73), Miss King (age not given, but described as a "girl") (p. 139), and to a much lesser extent, Elizabeth Bennet herself (not yet twenty-one).⁵

Now, of course, George Wickham is a man, and therefore he will have defenders. "He's not *really* a serial sexual predator," someone might say. "After all, there's no indication that he wants to have sex with his victims except as a means to an end; he just wants their money." The text is fairly clear that this is not the case. Lydia Bennett has very little money, and yet he is willing to flirt with her. When he absconds from Brighton with her, he takes her along because anyone he can have is better than no one.⁶ And in any event, it doesn't matter—a twenty-something-year-old man who is willing to encourage a barely pubescent child to believe that she loves him and should have sex⁷ with him (either after eloping into a marriage not sanctioned by her guardians, or outside the confines of marriage entirely) is pretty clearly a sexual predator, even if he is only using the tool of rape incidentally to hold out for money.

3. See *infra* note 6.

4. At the end of the novel Darcy says that he was "selfish and overbearing" from the age of "eight to eight and twenty," p. 334; in his letter to Lizzy detailing his history with Wickham, he describes Wickham as "a young man of nearly the same age," p. 181.

5. P. 151. Whether Lizzy and Miss King are properly counted as Wickham's victims is a matter of debate. While he does not appear to sexually exploit either of them, he is flirtatious to the point where Lizzy's aunt warns her that his financial status makes him a bad match. P. 130–31. Once Lizzy understands his character, she believes that "he had either been deceived with regard to her fortune, or had been gratifying his vanity." P. 187. At a minimum, he lies to Lizzy about Darcy, uses her to sound out how the community feels about Darcy, and charms her in order to secure his social status. P. 67–73. She is not his sexual victim, but he uses his wit and charm for his self-benefit.

6. P. 286 ("[H]e was not the young man to resist an opportunity of having a companion."). The text does not ever explicitly say that Wickham and Lydia had sex, just that they were living together outside marriage, but the implication is strong. See pp. 272–73. And to be perfectly clear: Lydia was underage, and clearly not emotionally or intellectually ready to form a sexual attachment to someone of Wickham's age. Pp. 39–40. This was rape. See also 3 F.W. NEWMAN, *Remedies for the Great Social Evil*, in MISCELLANIES: ESSAYS, TRACTS OR ADDRESSES POLITICAL AND SOCIAL 267, 268 (London, Kegan, Paul, Trench & Co., 1869) ("The seducer of a minor girl must not be allowed to plead against her own consent. She has no right to give consent; his act therefore has the nature of a RAPE.").

7. Again, to be clear: sex with someone who cannot consent is rape.

Some might also quibble with the use of “serial sexual predator” for other reasons. Wickham, after all, was what someone might call a man of his time. (Never mind that once he is exposed, he is dragged by every other man who also comes from his time; we must defend men by claiming that until about six months prior to the current date, whatever the current date may be, men were simply unaware that it was wrong to hurt people of a lesser social status.) In 1813, this argument goes, the modern concept of statutory rape did not exist. At the time, it was only a felony to have “unlawful and carnal knowledge” of a girl under the age of twelve.⁸ But while nothing that Wickham did was likely to be felonious in Regency England, it was nonetheless recognized as civil wrongdoing.⁹ The legal redress was limited—fathers (or caretakers who were similarly situated to a father, such as employers or adoptive parents) could bring an action of seduction against men who seduced women. Legally, the damages were limited to the amount lost due to the woman being unable to work during her pregnancy and were seen technically as an economic harm.¹⁰ Juries, however, often gave outsized verdicts as effective punishment for the harm.¹¹

In addition to Wickham’s outright predatory conduct over the course of the book, Austen faithfully wrote Wickham as a manipulator who engages in grooming behavior. Austen did this long before the appearance of Freud, the existence of psychiatric tools such as the Diagnostic and Statistical Manual of Mental Disorders, or the #MeToo movement. “Social (and sexual) manipulators have had years of practice hiding their darker traits.”¹² Today, with the benefit of modern psychology, we can identify the tactics that predators use.

Predators “charm[] [their] way through personal and professional settings, using flattery and positive attention to win over those who will help [them] get ahead.”¹³ Wickham is described as “far beyond . . . all [the other officers of his regiment] in person, countenance, air, and walk”; he makes Elizabeth feel that “the commonest, dullest, most threadbare topic might be rendered interesting by the skill of the speaker” (p. 68).

Predators “desensitiz[e] a victim to inappropriate social or sexual advances through progressive boundary-probing, while at the same time devel-

8. 3 THOMAS EDLYNE TOMLINS, *THE LAW-DICTIONARY EXPLAINING THE RISE, PROGRESS, AND PRESENT STATE OF THE BRITISH LAW* (Philadelphia, R.H. Small 1st Am. ed., 1836) (definition of “rape”).

9. See JOHN INDERMAUR, *PRINCIPLES OF THE COMMON LAW* 400 (London, Stevens & Haynes 7th ed. 1895).

10. *Id.* at 400–02.

11. *Id.* at 402; see also Clayton v. Stringer, SAUNDER’S NEWSL. & DAILY ADVERTISER, Aug. 30, 1813, at 1 (Aug. 3, 1813) (Eng.) (£20 damages to seduction of seventeen-year-old girl; about £1,400 today); Hunt v. Eley, KENTISH CHRON., Mar. 27, 1838, at 1 (Eng.) (£50 damages to seduction of nineteen-year-old girl).

12. Wendy L. Patrick, *The Stealthiest Predator*, PSYCH. TODAY (May 1, 2018), <https://www.psychologytoday.com/us/articles/201805/the-stealthiest-predator> [<https://perma.cc/TM3S-J8UG>].

13. *Id.*

oping a foundation of trust";¹⁴ Wickham used a prior acquaintance with one of Georgiana's caretakers to, with "connivance and aid, . . . recommend[] himself to Georgiana, whose affectionate heart retained a strong impression of his kindness to her as a child, that she was persuaded to believe herself in love, and to consent to an elopement" (p. 182).

Social predators are "[c]onsummate chameleons," who "will profess the exact same emotions as their prey, leaving victims feeling both grateful and relieved to have finally met someone who knows how they feel."¹⁵ Within minutes of meeting Lizzy, Wickham instantly picks up on her dislike of Darcy and echoes her feelings (pp. 69–70); within minutes of meeting Mrs. Gardiner, Lizzy's aunt, he is able to provide "an inexhaustible subject of discourse" with regard to Derbyshire, her former place of residence (p. 130).

"Clever predators create an uneven playing field right out of the gate. . . . They hunt and gather sensitive, embarrassing information about their victims early—to be filed away and retained for purposes of bullying or blackmail."¹⁶ In fact, Wickham's first act in Meryton is to speak ill of the Darcy family, whom he has wronged. He claims Darcy robbed him of an inheritance (p. 71). He states that Georgiana is "too much like her brother[]—very, very proud" (p. 74). He repeats this tactic with his second victim. When questioned about Lydia after absconding with her—when Lydia clearly believed they were going to Gretna Greene for the purpose of marriage—he "scrupled not to lay all the ill-consequences of Lydia's flight on her own folly alone" (p. 291).

Austen wrote not a knave who was easily recognizable as such by his evidently boorish behavior but a charming villain who used the veneer of manners and civility as his tool. The role that manners, civility, and respect play in allowing predators to mask their behavior is, in fact, an essential theme of the novel. That role is dual: Darcy's character is perceived as substantially worse than it is because of his initial lack of manners, and Wickham is seen as virtuous because of his abundant grace in them, thus allowing Wickham to use the veneer of civility to hack social expectations in order to maintain his good standing in the community.

Darcy admittedly does not start the book off on the right foot. He says, within hearing distance of Lizzy upon the night of their first acquaintance, that she is "not handsome enough to tempt *me*" (p. 9). He further alienates himself from Meryton society by committing the social faux pas of not dancing with anyone but the women in his acquaintance, when gentlemen at the dance are scarce (p. 8). The end result is that "his manners gave a disgust" (p. 7) to the point where it was decided that "[h]e was the proudest, most disagreeable man in the world" (p. 8).

Lizzy's initial impression of Darcy as an uncivil boor takes root to such an extent that she tells him to his face that she "delight[s]" in "cheating a

14. *Id.*

15. *Id.*

16. *Id.*

person of their premeditated contempt” (p. 45). She is surprised that he does not take offense to this remark, is “amazed at his gallantry” (p. 45), and yet does not consider (at this time) that her opinion of his character may be flawed.

During a brief separation, Lizzy continues to hold Darcy in ill opinion. When their acquaintance is resumed at Rosings Park, Lizzy reads Darcy for filth in front of his cousin.¹⁷ Darcy explains, “I certainly have not the talent which some people possess . . . of conversing easily with those I have never seen before. I cannot catch their tone of conversation, or appear interested in their concerns” (p. 159).

He also, to his discredit, delivers a really terrible proposal, which starts off reasonably well with ardent declarations of love and admiration, and then turns to such romantic prospects as “[h]is sense of her inferiority—of its being a degradation” (p. 171). Lizzy’s response—which is basically *hell no*, but longer—leads Darcy to inquire “why, with so little *endeavour* at civility, I am thus rejected” (p. 172). After a tense back-and-forth, in which Lizzy lobs her accusations at Darcy, she delivers the killing blow:

[Y]our manners impressing me with the fullest belief of your arrogance, your conceit, and your selfish disdain of the feelings of others, were such as to form that groundwork of disapprobation . . . ; and I had not known you a month before I felt that you were the last man in the world whom I could ever be prevailed on to marry. (p. 174)

By contrast, Wickham immediately makes friends in Meryton society: “His appearance was greatly in his favour; he had all the best part of beauty, a fine countenance, a good figure, and very pleasing address” (p. 64). During his time in Meryton, Darcy offers a coded warning to Lizzy: “Mr. Wickham is blessed with such happy manners as may ensure his *making* friends—whether he may be equally capable of *retaining* them, is less certain” (p. 83). But this warning goes unheeded. Once Darcy quits Meryton, Wickham openly shares lies about Darcy, “and every body was pleased to think how much they had always disliked Mr. Darcy before they had known any thing of the matter” (p. 126).

After Darcy exposes Wickham to Elizabeth, Elizabeth realizes that her reliance on the veneer of civility to judge character has in fact led her astray:

His countenance, voice, and manner had established him at once in the possession of every virtue. She tried to recollect some instance of goodness, some distinguished trait of integrity or benevolence, that might rescue him But no such recollection befriended her. . . . [S]he could remember no more substantial good than the general approbation of the neighbor-

17. “He danced only four dances,” Lizzy says, and when Darcy explains that he did not know anyone, she sarcastically replies, “True; and nobody can ever be introduced in a ball-room.” P. 158. She then asks his cousin, “Shall we ask him [Darcy] why a man of sense and education, and who has lived in the world, is ill qualified to recommend himself to strangers?” P. 159.

hood, and the regard which his social powers had gained him in the mess.
(p. 186)

The difference in manners favors Wickham, but the difference in character is ultimately what matters. Wickham runs away with Lizzy's sister, and it is Darcy who repairs the damage (pp. 291–94). The question of civility is not irrelevant, of course—Darcy himself admits that his “behavior to you at the time had merited the severest reproof” (p. 333).

The heart of *Pride and Prejudice* is that civility is not character. It is a serious scope error to believe that a person's willingness and ability to perform the duties imposed by society is indicative of anything other than a person's willingness or ability to perform the duties imposed by society. The assumption that adherence to the forms of manner means that someone must be trustworthy not only allows for significant harm but enables it. If someone is unmannerly, any number of rightful consequences can come of that—a person could reasonably reject his marriage proposal, even in harsh terms. But the existence of manners is often the prerequisite for a successful predator, not proof of character. In *Pride and Prejudice*, civility is the charming predator's tool, not his downfall.

An additional, somewhat minor point must be made: *Pride and Prejudice* is a work of fiction. While Austen may have based her fictional portrayal of Wickham on personal experience, her choice of which details to include or alter from any potential experience was precisely that: a choice.¹⁸ That she understood the details of successful predation, and depicted them so faithfully, is an enduring testament to her incisive judgment of human nature.

Up until this point, this Review has focused on how *Pride and Prejudice* characterizes its serial sexual predator. A more salient question, however, is how Wickham is handled once he is identified, and it is here where *Pride and Prejudice* falters. In fact, the characters in *Pride and Prejudice* employ a handful of approaches, none of which are particularly effective.

Fightin' Wickham. The least effective strategy mentioned for handling Wickham—which, thankfully, did not need to be employed—was for Mr. Bennet to fight him (p. 258). Violence is always a potential response to predators; it's rarely a good one. Mr. Bennet was an older man with five daughters who were financially dependent on his continued existence; Wickham was a young officer in the militia. The outcome of this fight could very well have been Mrs. Bennet's worst imaginings—“he will be killed, and what is to become of us all?” (p. 258).

The Whisper Network. Whisper networks are “informal chains of secondhand and sometimes firsthand information about sexual harassers or

18. Austen made this particular choice repeatedly in her work. The charmingly predatory individual shows up in various incarnations—for instance, as Willoughby in *Sense and Sensibility*, and as Henry in *Mansfield Park*.

rapists in a community”¹⁹ considered by many to be a “long-standing partial remedy”²⁰ to the problem of serial abusers. The whisper network portrayed in *Pride and Prejudice* is quite small. The original incident included a small number of firsthand participants: Wickham seduced Darcy’s younger sister, Georgiana.²¹ Darcy and Colonel Fitzwilliam, Georgiana’s joint guardians, have firsthand knowledge of the affair because they are responsible for Georgiana’s wellbeing (pp. 166, 182–83).

Over the course of the story, Darcy imparts an account of Georgiana’s situation to Lizzy via letter, information “which no obligation less than the present should induce me to unfold to any human being” (pp. 182–83). Lizzy asks Colonel Fitzwilliam a lighthearted question that allows her to verify the truth of Darcy’s account (p. 186). She then repeats its contents to her sister and confidant, Jane (p. 202). Lizzy asks Jane whether they should disclose their knowledge of Wickham’s misconduct any further, or if they will keep it to themselves: “I want to be told whether I ought, or ought not to make our acquaintance in general understand Wickham’s character” (p. 203).

The conclusion to that conversation—“there can be no occasion for exposing him so dreadfully” (p. 203)—covers the gamut of reasons for why whisper networks remain whispers. There is the question of privacy: “Mr. Darcy has not authorized me to make his communication public” (p. 203). There is concern for prior victims: “[E]very particular relative to his sister, was meant to be kept as much as possible to myself” (p. 203). There is the question of whether the source of the information will be believed: “The general prejudice against Mr. Darcy is so violent” (p. 203).

The sisters then assign remorse to Wickham: “He is now perhaps sorry for what he has done” (p. 204)—a statement that lacks evidence and seems baffling in light of the known facts, which include Wickham bad-mouthing Darcy, his victim’s brother,²² in order to discredit claims against himself, and mere months before, engaging in fortune-seeking behavior by attaching himself to a girl for no reason other than her recent inheritance (p. 139).

Finally, there is concern for the perpetrator and potential retaliation: “To have his errors made public might ruin him for ever. . . . We must not make him desperate” (p. 204).

“[U]sing a whisper network is dangerous and will most likely, at some point or another, backfire terribly.”²³ This is indeed the case in *Pride and*

19. Sarah Jeong, *When Whisper Networks Let Us Down*, VERGE (Feb. 21, 2018, 11:07 AM), <https://www.theverge.com/2018/2/21/17035552/sexual-assault-harassment-whisper-network-reporting-failure-marquis-boire> [https://perma.cc/QYK8-YG9M].

20. Moira Donegan, *I Started the Media Men List: My Name is Moira Donegan*, CUT (Jan. 10, 2018), <https://www.thecut.com/2018/01/moira-donegan-i-started-the-media-men-list.html> [https://perma.cc/SYL4-67Q9].

21. See p. 182. The extent to which Georgiana is seduced is left unstated in text. They are engaged and on the verge of elopement; there was likely to be some degree of romantic contact such as kissing.

22. See *supra* note 16 and accompanying text.

23. Jeong, *supra* note 19.

Prejudice. Lizzy and Jane decide to keep the issues with Wickham from everyone else in their acquaintance, but this backfires spectacularly. Wickham runs away with Lizzy's fifteen-year-old sister Lydia (pp. 245–46). “Had his character been known,” Lizzy laments, “this could not have happened” (p. 248).

Victim Redress. One difficult aspect of predatory behavior that communities must grapple with is how to address the victim's harms. In one sense, Darcy does precisely what some advocates suggest: he asks Lydia, the victim of Wickham's predation, what she wants and respects her agency, even though he disagrees with her resolution. Hearing that “she would not hear of leaving Wickham,” and “was sure they should be married some time or other,” he heeds her wishes and “secure[s] and expedite[s] a marriage” (p. 291).

When Lydia marries Wickham, she is exquisitely happy and boasts to her sisters about achieving marriage before them (p. 285). In the long term, “[h]is affection for her soon sunk into indifference; her[s] lasted a little longer” (p. 351), and Austen strongly implies that, although Lydia was fifteen upon her marriage, her “character[] suffered no revolution” over its course (p. 350).

This is a bit of an authorial sleight of hand. In reality, foolish fifteen-year-old girls who are sexually exploited by twenty-eight-year-old men tend to grow up. It is difficult to be optimistic about an ending where a minor is married to a man who convinces not one but two fifteen-year-old girls to run away with him. Austen states that Wickham does not change, continues to spend too much, and never feels any substantial affection for his wife (pp. 350–51). She allows the reader to feel satisfied by an ending that leaves Lydia with the predator who sexually exploited her, by the simple expedient of making Lydia an absolute pill with no sense, moral or rational, who stubbornly insists that her own downfall is her preference, despite alternate suggestions from her elders (pp. 284, 291).

If Lydia had ever come to understand the degree to which she had been preyed upon, there would have been no happy ending. Marrying her to Wickham if she were aware of his abusive nature would have been horrific. And Lydia's marriage forms the necessary basis for the remainder of the novel. However “patched-up” (p. 323) the business of Lydia's marriage was, it provides the veneer of respectability that allows Jane and Lizzy to enter Bingley and Darcy's social sphere as relative equals in marriage.

In reality, the needs of victims of serial sexual predators are not so easily met.²⁴

Social Sanctions. After Wickham runs away with Lydia, his character can no longer be hidden. The resulting backlash may sound ominous for him:

24. See, e.g., COURTNEY MILAN, A KISS FOR MIDWINTER 34–36 (2012) (a work of fiction in which Lydia Charingford (named for Lydia Bennet), an overly cheerful and seemingly naïve lady, who was raped at the age of fifteen by an older man who she believed herself to be in love with, grapples with the facts of her rape many years later and begins to move beyond it).

All Meryton seemed striving to blacken the man, who, but three months before, had been almost an angel of light. . . . Every body declared that he was the wickedest young man in the world; and every body began to find out that they had always distrusted the appearance of his goodness. (p. 265)

While it would be nice to believe that the fear of social retribution will serve as a deterrent, there are multiple reasons to believe this fear to be inadequate to the task. First, Wickham was not found out because he was trifling with Lydia's affections; he had done so in Brighton on a whim (p. 261). Instead, he went AWOL from his regiment "on account of some debts of honour which were very pressing."²⁵ Wickham had multiple options that would have kept his sexual predation from coming public. He could have not incurred gambling debts; he could have incurred those debts and refused to pay them without suffering any adverse legal consequences.²⁶ Or he could have skipped town and not taken the fifteen-year-old girl with him for his sexual convenience. Wickham, for all his charm, is remarkably stupid.

Second, any social retribution in this case was largely borne by the victim and her family rather than the perpetrator. Wickham, having run off to friends in London, didn't have to live with those who abhorred his conduct (p. 291). By contrast, the Bennets received missives from family containing such commiserating phrases as "[t]he death of your daughter would have been a blessing in comparison [T]his false step in one daughter, will be injurious to the fortunes of all the others" (p. 267) and the advice to "throw off your unworthy child from your affection for ever, and leave her to reap the fruits of her own heinous offence" (p. 267).

Moral statements like this demonstrate the problem with social sanctions. If the underlying social structure is unjust, relying on that social structure to provide retribution simply enforces a status quo that is itself unjust, one that centers the question of whether a particular man is bad without confronting the structural issues that enabled his abuse. "[W]e are being manipulated and distracted and misrepresented and shamed into believing that we do not deserve to be centered in conversations on our oppression. That we do not deserve to be heard. That we do not deserve justice."²⁷

25. P. 291. "Debts of honor" are debts that are not legally enforceable but which the person feels obligated to pay because a social group looks down on avoiding that debt. 4 OXFORD ENGLISH DICTIONARY 315 (J.A. Simpson & E.S.C. Weiner eds., 2d ed. 1989) (definition 4 of noun "debt"). In the Regency, the phrase often referred to gambling debts; and in fact, Colonel Forster says that he "left gaming debts behind him, to a very considerable amount." P. 268.

26. See *supra* note 25; see also JOSEPH CHITTY, A PRACTICAL TREATISE ON BILLS OF EXCHANGE, CHECKS ON BANKERS, PROMISSORY NOTES, BANKERS' CASH NOTES, AND BANK NOTES 78 (London, S. Brooke 6th ed. 1822) ("A gaming consideration is declared illegal. . . . Under these statutes, a bill of exchange, or promissory note given for a gambling debt is void, even in the hands of a *bona fide* holder.").

27. Ijeoma Oluo, *Due Process Is Needed for Sexual Harassment Accusations—But for Whom?*, MEDIUM (Nov. 30, 2017), <https://medium.com/the-establishment/due-process-is-needed-for-sexual-harassment-accusations-but-for-whom-968e7c81e6d6> [<https://perma.cc/73Y7-N6U4>].

Pride and Prejudice remarks on the hypocritical nature of this retribution. After Lydia is married to Wickham and Jane is engaged to Mr. Bingley, “[t]he Bennets were speedily pronounced to be the luckiest family in the world, though only a few weeks before, when Lydia had first run away, they had been generally proved to be marked out for misfortune” (p. 317).

Ultimately, *Pride and Prejudice* raises questions about the structure of reform, relies on some tried-and-not-so-true mechanisms to provide redress, and hints at ways to carry about that reform, but it fails to provide firm guidance on how to fundamentally make progress on the issues that it raises.

I suppose we can forgive an actual work of fiction meant to be consumed by humans for entertainment for not containing an actionable plan for addressing predatory humans in a systemic fashion. It’s not the job of fiction to solve all of society’s problems.²⁸ But *Pride and Prejudice* is a cultural landmark—a book widely considered to be part of the literary canon. At a minimum, one would think that it has, over time, catalyzed a conversation about predators.

So here we are, 208 years later. With a blueprint for understanding and identifying charming predators laid so long in the past, surely in some of the centuries that have elapsed we, as a society, would have come up with better methods for handling charming predators than those detailed in a centuries-old novel. In the decades during which human society discovered DNA, relativity, antibiotics, the entirety of nuclear physics, birth control, smartphones, and biofluorescent bunnies. . . . Surely during that time period we must have spent *some* brain cycles thinking about victims. Surely we would have a blueprint for dealing with predators by now. Surely, at a minimum, we would recognize that predators may have “an openness and gentleness in . . . manner” (p. 202), and that strict adherence to the rules of civility cannot end abusive and predatory behavior—and in fact may enable it.

With that hope in mind, let us choose at random²⁹ an arm of government dedicated to fair, insightful process—the judiciary. We can search out

28. But see Alyssa Cole, *Spring Fling 2020 Keynote Speech 7/25/2020*, ALYSSA COLE (July 26, 2020), <https://alyssacole.com/2020/07/26/spring-fling-2020-keynote-speech-7-25-20/> [<https://perma.cc/CHL4-HUMH>] (explicitly drawing the connection between the romance-genre promise of a happy ending and the Black Lives Matters movement). I have also spent six years (and counting) stuck on a massive project involving billionaires. But here we are in 2021 and . . . behold, billionaires. Yikes. How do you not examine that? And yet, how *do* you examine it? It’s taking me a while to figure out how to solve capitalism. Compare COURTNEY MILAN, TRADE ME (2015), with Courtney Milan, *What Lies Between Me and You* (currently unpublished and sitting in drafts on my computer). I sometimes wonder if Jane Austen tore her hair out writing *Pride and Prejudice* trying to figure out how to bring some sense of vaguely optimistic resolution to her serial-child-predator plot, muttering to herself about why on earth she had to make her plot *serial child predators oh my god the tonal shift is horrific* before finally saying, “fuck it, I’m making Lydia a ditz who doesn’t care and never grows up; if she doesn’t mind, the readers won’t, either.” Obviously, she would use slightly different language.

29. My random determination went as follows. I assigned the number one to the judiciary, two to the legislative branch, three to the executive branch. I then used Google’s random number generator to generate an integer between one and one.

works of nonfiction produced by that semi-randomly-chosen branch that are intended to set forth actionable plans for addressing predatory humans in a systemic fashion and see how well they do in comparison with a two-century-old novel designed to entertain.

Given the discussion of systemic abuse contained in what appears to be a mere novel, surely a comprehensive report on these issues will discuss structural reforms such as avoiding the isolation of potential victims through systemic measures³⁰ or scrutinizing external indicia that may shed light on past behaviors.³¹ Surely it will understand the dichotomy between manners and abusive behavior, and will understand that civility is a tool used by abusers, and not a method of avoiding abuse.

Armed with this hope, let's open the Report of the Federal Judiciary Workplace Conduct Working Group and see how well we've done since the time of Jane Austen.

"The Working Group agrees that, rather than focusing simply on eliminating unwelcome behavior, the Judiciary should 'promot[e] respect and civility in the workplace generally.'"³²

Oh.

30. Letter from author to Senate Comm. on the Judiciary (June 11, 2018), <https://www.courtneymilan.com/metoo/workinggroupletter.pdf> [https://perma.cc/ZK2]-DRWJ] (entered into the record during *Confronting Sexual Harassment and Other Workplace Misconduct in the Federal Judiciary: Hearing Before the S. Comm. on the Judiciary*, 115th Cong. (2018) (statement of Sen. Chuck Grassley)).

31. *Id.* at 4.

32. FED. JUDICIARY WORKPLACE CONDUCT WORKING GRP., REPORT TO THE JUDICIAL CONFERENCE OF THE UNITED STATES 7 (2018).

